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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/778,192	02/07/2001	David Charles Adams	ADN2653PIUS	9033

7590 10/06/2003
Lainie E. Parker
Akzo Nobel Inc.
Intellectual Property Department
7 Livingstone Avenue
Dobbs Ferry, NY 10522-3408

EXAMINER

LEUNG, JENNIFER A

ART UNIT PAPER NUMBER

1764

DATE MAILED: 10/06/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Art Unit: 1764

DETAILED ACTION

Election/Restrictions

Restriction to one of the following inventions is required under 35 U.S.C. 121:

- I. Claims 1-9, drawn to an apparatus comprising a circulation pump, a reactor tube, at least one feed, an outlet, an additional tube and a pig receiving station, classified in class 422, subclass 131+.
- II. Claims 10-13, drawn to a process for preparing an emulsion polymer, classified in class 526, subclass ---.

The inventions are distinct, each from the other because of the following reasons:

Inventions II and I are related as process and apparatus for its practice. The inventions are distinct if it can be shown that either: (1) the process as claimed can be practiced by another materially different apparatus or by hand, or (2) the apparatus as claimed can be used to practice another and materially different process. (MPEP § 806.05(e)). In this case, the apparatus as claimed can be used to practice another and materially different process, such as chemical processes not limited to polymerization, wherein reactor wall cleaning is periodically required, i.e., for removal of scale, particulate deposits, residue, etc.

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification and search required for Group I not required for Group II, restriction for examination purposes as indicated is proper.

A telephone call was made to Michelle Burke on September 23, 2003 to request an oral election to the above restriction requirement, but did not result in an election being made.

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Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

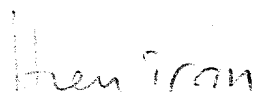
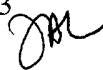
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jennifer A. Leung whose telephone number is 703-305-4951. The examiner can normally be reached on 8:30 am - 5:30 pm M-F, every other Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenn A. Caldarola can be reached on 703-308-6824. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0661.

Jennifer A. Leung
September 23, 2003



**HIEN TRAN
PRIMARY EXAMINER**